

Application No.: 09/623,543

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Docket No.: 500862002200

REMARKS

Claims 22, 24-25, 28, 33-36, 38, 42-43, 45, 49-53 and 56 are pending in the application. Claims 22, 24-25, 28 and 33 are allowed. Claims 35, 38, 45 and 49 have been amended. Claims 1-21, 23, 26-27, 29-32, 37, 37, 39-41, 44, 46-48 and 54-55 have been canceled without prejudice to subsequent revival. Claim 56 has been added. No new matter was added by this amendment. Entry of the amendment is respectfully requested.

The Applicants gratefully acknowledge the Examiner's withdrawal of the previous rejections and the indication that claims 22, 24-25, 28 and 33 are considered allowable.

The Applicants respectfully request clarification to whether or not claim 34 is considered allowable.

The Amendment

In order to expedite prosecution of the application and advance the case toward allowance, the specification and claims have been amended. **Claims 35 and 49** have been amended to specify that the reactive group is covalently bonded to a thiol group on the blood component or albumin. Support for this amendment can be found, for example, on page 12, lines 12-17 of the specification. The claims have further been amended to remove the reference to the reactive group being an amino-, hydroxyl-, or thiol group. **Claim 49** has further been amended to remove reference to a "succinimidyl-containing group" to further specify the claim. **Claims 38 and 45** have been amended to refer to "the" thiol group for proper antecedent basis. **Claim 56** has been added and finds support, for example, on page 12, lines 12-17 and page 34, lines 10-20 of the specification.

Rejections under 35 U.S.C. §103(a)

Claims 35-36, 41-43 and 48-55 are rejected under 35 U.S.C. §103(a), as allegedly being obvious over Davidson *et al.* (1997, WO 97/41824) in view of Pecters *et al.* (1989, *J. Immunol. Methods* 120:133-143).

To the extent that the rejection applies to the claims as amended is it respectfully traversed.

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The Examiner also indicated on page 4 of the Office Action that the references do not teach or suggest that the reactive group is bonded to a thiol group of serum albumin and, thus, claims 38 and 45 are objected to as being dependent from a rejected independent base claim.

The claims have been amended accordingly. The amendment was made solely in the interest of prosecution efficiency and to advance the case toward allowance and must not be interpreted as acquiescence in the rejection. As shown above, claims 35 and 49 now specify that the reactive group is covalently bonded to a thiol group on the blood component or albumin, respectively. All other claims depend directly or indirectly from claims 35 or 49. The Applicants believe that this amendment should place the claims into condition for allowance. Thus, the rejection should be moot.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 500862002200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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